

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

GAYLE D. HANKS,

Plaintiff,

v.

CITY OF SHORELINE, et al.,

Defendant.

Case No. C21-0600-RAJ

REPORT AND RECOMMENDATION

Plaintiff Gayle D. Hanks applied to proceed *in forma pauperis* (IFP) in this matter. (Dkt.

1). She indicates that she receives \$3,243.00 in monthly social security and workers' compensation payments, has monthly expenses totaling \$2,000.00, and has approximately \$3,880.00 in cash resources.

Because Plaintiff appears to have the financial means to pay the Court's filing fee, the Court recommends that her motion to proceed IFP (Dkt. 1) be DENIED. This action should proceed only if Plaintiff pays the \$402.00 filing fee within **thirty (30) days** after entry of the Court's Order adopting this Report and Recommendation. If no filing fee is paid within thirty days of the Court's Order, the Clerk should close the file. A proposed Order accompanies this Report and Recommendation.

1 The Court also notes that this matter appears appropriate for review under 28 U.S.C.
2 § 1915(e)(2)(B). Pursuant to that provision, when a complaint is frivolous, malicious, fails to
3 state a claim on which relief may be granted, or seeks monetary relief against a defendant who is
4 immune from such relief, the Court shall dismiss the case at any time. 28 U.S.C.
5 § 1915(e)(2)(B). Plaintiff's complaint fails to allege facts that state a claim on which relief may
6 be granted. Accordingly, the Court recommends review under § 1915(e)(2)(B), as may be
7 prompted by either payment of the filing fee or objections to this Report and Recommendation.

8 Objections to this Report and Recommendation, if any, should be filed with the Clerk and
9 served upon all parties to this suit within **fourteen (14) days** of the date on which this Report and
10 Recommendation is signed. Failure to file objections within the specified time may affect your
11 right to appeal. Objections should be noted for consideration on the District Judge's motions
12 calendar for the third Friday after they are filed. Responses to objections may be filed within
13 **fourteen (14) days** after service of objections. If no timely objections are filed, the matter will
14 be ready for consideration by the District Judge on **May 28, 2021**.

15 Dated this 12th day of May, 2021.

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18 S. KATE VAUGHAN
19 United States Magistrate Judge
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